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12 UNITED STATES DISTRICT COURT  
13 WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
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16 JEFFREY GOLD, a single individual; )  
17 )  
18 ) NO.  
19 Plaintiff, )  
20 vs. )  
21 ) PLAINTIFF'S COMPLAINT FOR  
22 ) DAMAGES  
23 SUE RAHR, Individually, and as Sheriff of )  
24 King County, and KING COUNTY, a )  
25 municipal corporation, and MATTHEW )  
PAUL and JANE DOE PAUL, )  
individually, and as husband and wife and )  
the marital community composed thereof, )  
)  
Defendants. )

Plaintiff brings this civil action against Defendant, and for statement of claim, states as follows:

I. **PARTIES**

1.1 Plaintiff Jeff Gold is a citizen of the United States and a resident of the State of Washington.

1.2 Defendant Sue Rahr is a resident of the State of Washington, and is the Sheriff of King County. Defendant Rahr is sued in her individual capacity and in her official capacity as Sherriff of King County. Defendant King County is a

COMPLAINT FOR DAMAGES - 1

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1 municipal corporation organized under the laws of the State of Washington. Defendants  
2  
3 Matthew Paul and Jane Doe Paul are residents of the State of Washington. At all times material  
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5 to this Complaint, Defendant Paul was a police officer employed by King County. Defendant  
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7 Paul is sued in his individual capacity and in his official capacity as an employee, agent, or  
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9 ostensible agent of King County.  
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11

## 12 **II. STATEMENT OF JURISDICTION AND VENUE**

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14 1.1 Jurisdiction is proper because this action arises under a  
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16 federal statute: 42 U.S.C. § 1983. The incident giving rise to this cause of action occurred in  
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18 Seattle, which is located in the Western District of Washington.  
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## 20 **II. BACKGROUND**

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22 2.1 On May 1, 2010, plaintiff Jeffrey Gold was walking to his home near Queen Anne  
23  
24 and John Street in Seattle, Washington.  
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2.2 As he walked, he noticed defendant Paul and other officers contacting individuals  
who appeared to be drinking alcohol at a local bus stop. Plaintiff Gold took pictures of the  
incident. Defendant Paul noticed Plaintiff Gold and yelled at him to leave the scene.

2.3 As plaintiff Gold walked away, defendant Paul told him to stop and then charged  
at him and tackled him to the ground from behind. Once on the ground, defendant Paul pushed  
plaintiff's face into the ground causing a broken nose and facial injuries.

2.4 Plaintiff Gold was arrested for obstruction of justice and placed in King County  
jail for six hours before being released.

2.5 Deputy Paul did not have probable cause to forcibly detain plaintiff Gold.

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2           2.6     Deputy Paul did not have a reasonable suspicion that plaintiff Gold was engaged  
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4 in a crime.  
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6           2.7     Deputy Paul accused plaintiff Gold of jaywalking. The amount of force used was  
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8 inappropriate and unnecessary.  
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10           2.8     Plaintiff Gold sustained physical and emotional injuries as a result of Deputy  
11  
12 Paul's actions.  
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17                               **III.    CAUSES OF ACTION**  
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20           3.1     The acts and omissions of defendants were performed under color of law.  
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22           3.2     Defendants are liable for negligence.  
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24           3.3     Defendant King County is liable for negligent training, negligent supervision, and  
25 negligent retention under state and federal law.

          3.4     Defendants are liable for intentional torts, including, but not limited to, trespass,  
outrage, assault, battery, excessive force, false imprisonment, illegal search and seizure, and false  
arrest.

          3.5     Defendants are liable for violating plaintiff's constitutional rights under the  
Washington Constitution.

          3.6     Defendants are liable for violating plaintiffs' constitutional rights under the United  
States Constitution, by and through 42 U.S.C. § 1983.

          3.7     Defendants are liable for violating Plaintiff's rights to due process under the  
United States Constitution and the Washington Constitution.

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3.8 Defendants are liable under a theory of Ratification of deputy Paul's acts and/or omissions.

3.9 As a direct result of Defendants' acts and/or omissions, Plaintiff suffered damages, including physical and emotional trauma, lost benefits, medical expenses, and other damages past, present and future, all in amounts to be proven at the time of trial.

#### IV. DAMAGES

4.1 The acts or omissions of the individual defendants herein were motivated by evil motive or malicious intent, or involved reckless or callous indifference to the constitutional rights of the Plaintiff. The individual defendants are liable for punitive damages under federal law and 42 U.S.C. § 1983.

4.2 The plaintiff suffered physical injuries and emotional distress, and the defendants are liable to plaintiff for his special and general damages.

#### V. PRAYER FOR RELIEF

WHEREFORE, plaintiff prays for relief as follows:

1. For judgment against defendants, jointly and severally, and as individuals, for compensation for all injuries and damages, past, present and future, in amounts to be proven at the time of trial.

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2. For prejudgment interest at the statutory rate on all items of special damages.
3. For an award of attorneys' fees, expert fees, and costs incurred herein.
4. For an award of punitive damages against defendants individually, and jointly and severally.
5. For such other and further relief as the Court deems just and equitable.

DATED this \_\_\_\_\_ day of February, 2012.

OSBORN MACHLER

By \_\_\_\_\_  
Simeon J. Osborn, WSBA #14484  
Susan Machler, WSBA #23256  
Mark A. Horey, WSBA #33558  
Attorneys for Plaintiffs

COMPLAINT FOR DAMAGES - 5

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